

DANNIS WOLIVER KELLEY  
1115 PINE AVENUE, SUITE 500  
LONG BEACH, CA 90802

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

STATE OF CALIFORNIA, et al.,  
Plaintiffs,  
v.  
WILBUR L. ROSS, JR., et al.,  
Defendants.

Case No. 3:18-cv-01865-RS

**JOINT STIPULATION AND [PROPOSED]  
ORDER TO EXTEND TIME TO FILE  
BILL OF COSTS AND MOTION FOR  
ATTORNEYS' FEES**

Dept: 3  
Judge: The Honorable Richard G. Seeborg

Trial Date: January 7, 2019  
Complaint Filed: March 26, 2018

1 Plaintiffs State of California, County of Los Angeles, and Cities of Los Angeles, Fremont,  
2 Long Beach, Oakland, and Stockton, and the Los Angeles Unified School District (collectively  
3 “Plaintiffs”) and Defendants Wilbur L. Ross, Jr., U.S. Department of Commerce, Ron Jarmin, and  
4 U.S. Census Bureau (collectively, “Defendants,” and together with Plaintiffs, the “Parties”), by  
5 and through their respective attorneys of record, stipulate as follows:

6 WHEREAS, on March 13, 2019, the Court entered its final judgment, order of vacatur,  
7 and permanent injunction;

8 WHEREAS, pursuant to Federal Rule of Civil Procedure § 54(d)(2)(B), Plaintiffs have  
9 until March 27, 2019 (14 days from the entry of judgment) to file a memorandum and motion for  
10 attorneys’ fees;

11 WHEREAS, pursuant to Federal Rule of Civil Procedure § 54(d)(1), Plaintiffs have until  
12 March 27, 2019 (14 days from the entry of judgment) to file their bill of costs;

13 WHEREAS, while the Parties await the resolution of appeals, the Parties wish to extend  
14 the time to file a bill of costs and a motion for attorneys’ fees; and

15 WHEREAS, pursuant to Rule 6-2 of the Local Rules of Practice in Civil Proceedings  
16 before the United States District Court for the Northern District of California, the court may, after  
17 stipulation, extend the time for filing a motion for attorneys’ fees as set forth in Rule 54-5; and

18 WHEREAS, pursuant to Rule 6-2 of the Local Rules of Practice in Civil Proceedings  
19 before the United States District Court for the Northern District of California, the court may, after  
20 stipulation, extend the time for filing a bill of costs as set forth in Rule 54-1;

21 THEREFORE, the parties hereby stipulate that:

22 The Parties stipulate that the time to file a bill of costs and a motion for attorneys’ fees  
23 and costs shall be extended to 30 days after the issuance of the final, non-appealable  
24 administrative or judicial decision.

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DANNIS WOLIVER KELLEY  
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1  
2 DATED: March 27, 2019 SUE ANN SALMON EVANS, SBN 151562  
3 KEITH A. YEOMANS, SBN 245600  
4 DANNIS WOLIVER KELLEY  
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7 By: /s/ Keith A. Yeomans  
KEITH A. YEOMANS  
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9 Attorneys for Plaintiff-Intervenor  
Los Angeles Unified School District  
10 DATED: March 27, 2019 XAVIER BECERRA  
11 Attorney General of California  
MARK R. BECKINGTON  
ANTHONY R. HAKL  
Supervising Deputy Attorneys General  
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NOREEN P. SKELLY, SBN 186135  
Deputy Attorneys General  
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16 By: /s/ Gabrielle D. Boutin  
GABRIELLE D. BOUTIN  
Deputy Attorney General  
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18 Attorneys for Plaintiff State of California, by  
and through Attorney General Xavier Becerra  
19 DATED: March 27, 2019 CHARLES L. COLEMAN III, SBN 65496  
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24 By: /s/ Charles L. Coleman III  
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26 Attorneys for Plaintiff County of Los Angeles  
27  
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1 DATED: March 27, 2019

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By: /s/ Valerie Flores  
7 VALERIE FLORES

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Attorneys for Plaintiff City of Los Angeles

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10 DATED: March 27, 2019

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By: /s/ Harvey Levine  
15 HARVEY LEVINE

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Attorneys for Plaintiff City of Fremont

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DATED: March 27, 2019

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By: /s/ Michael J. Mais  
22 MICHAEL J. MAIS

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Attorneys for Plaintiff City of Long Beach

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1 DATED: March 27, 2019

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JOHN LUEBBERKE

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*Attorneys for Plaintiff City of Stockton*

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DATED: March 27, 2019

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By: /s/ Erin Bernstein  
ERIN BERNSTEIN

*Attorneys for Plaintiff City of Oakland*

DANNIS WOLIVER KELLEY  
1115 PINE AVENUE, SUITE 500  
LONG BEACH, CA 90802

1 DATED: March 27, 2019

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BRETT A. SHUMATE  
Deputy Assistant Attorney General  
CARLOTTA P. WELLS  
Assistant Branch Director  
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Email: Kate.Bailey@usdoj.gov

11 By: /s/ Kate Bailey  
12 KATE BAILEY

13 *Attorneys for Defendants*

DANNIS WOLIVER KELLEY  
1115 PINE AVENUE, SUITE 500  
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## **FILER'S ATTESTATION**

Pursuant to Civil Local Rule 5-1(i)(3), regarding signatures, Keith A. Yeomans hereby attests that concurrence in the filing of this document has been obtained from all the signatories above.

Dated: March 27, 2019

/s/ Keith A. Yeomans  
Keith A. Yeomans

DANNIS WOLIVER KELLEY  
1115 PINE AVENUE, SUITE 500  
LONG BEACH, CA 90802

1                   **CERTIFICATE OF SERVICE**

2                   I hereby certify that on March 27, 2019, I served the foregoing with the Clerk of Court  
3 using the CM/ECF system which will automatically send email notification of such filing to the  
4 attorneys of record.

5  
6                   Dated: March 27, 2019

7                   */s/ Keith A. Yeomans*  
8                   Keith A. Yeomans

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1 [PROPOSED] ORDER  
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3 **PURSUANT TO STIPULATION,**  
4

5 Upon consideration thereof, and it otherwise appearing proper to do so, it is hereby  
6 **ORDERED** that the deadline to file a bill of costs and a motion for attorneys' fees shall be  
7 extended to 30 days after the issuance of the final, non-appealable administrative or judicial  
8 decision.

9  
10 **IT IS SO ORDERED.**

11 DATED: March \_\_\_, 2019

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13 HON. RICHARD SEEBORG  
14 United States District Court Judge  
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6 David R. Holmquist, State Bar No. 179872  
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9 Facsimile: 213.241.8444

10 Attorneys for Plaintiff-Intervenor  
11 Los Angeles Unified School District

12 UNITED STATES DISTRICT COURT  
13 NORTHERN DISTRICT OF CALIFORNIA  
14 SAN FRANCISCO DIVISION

16 STATE OF CALIFORNIA, et al.,  
17 Plaintiffs,  
17 v.  
18 WILBUR L. ROSS, JR., et al.,  
19 Defendants.

Case No. 3:18-cv-01865-RS

**DECLARATION OF KEITH A. YEOMANS  
IN SUPPORT OF STIPULATION TO  
EXTEND TIME TO FILE BILL OF COSTS  
AND MOTION FOR ATTORNEYS' FEES**

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## **DECLARATION**

1. I am an attorney duly authorized and licensed to practice law before all courts of the State of California and before this court. I am special counsel in the law firm of Dennis Woliver Kelley (“DWK”), attorneys of record for Los Angeles Unified School District (“LAUSD”), in this matter, titled *California v. Ross*, case no. 3:18-cv-01865 (the “California Action”), filed in this District on March 26, 2018 against Wilbur L. Ross, Jr., U.S. Department of Commerce, Ron Jarmin, and U.S. Census Bureau (collectively, “Defendants”). I have personal knowledge of the facts set forth in this declaration, and if called upon to testify under oath concerning them, I could and would testify competently to them.

2. I file this Declaration pursuant to Local Rule 6-2 and in support of the Joint  
Stipulation to Extend Time to File Bill of Costs and Motion for Attorneys' Fees.

3. Plaintiffs State of California, County of Los Angeles, and Cities of Los Angeles, Fremont, Long Beach, Oakland, and Stockton, and plaintiff-intervenor LAUSD and Defendants request this extension because the California Action is currently on petition for certiorari before judgment at the Supreme Court and a ruling there may be determinative as to whether fees and costs are available here.

I declare under penalty of perjury, under the laws of the State of California and the United States, that the foregoing is true and correct.

Executed March 27, 2019, in Long Beach, California.

/s/ Keith A. Yeomans  
Keith A. Yeomans

### **FILER'S ATTESTATION**

Pursuant to Civil Local Rule 5-1(i)(3), regarding signatures, Keith A. Yeomans hereby attests that concurrence in the filing of this document has been obtained from all the signatories above.

Dated: March 27, 2019

/s/ Keith A. Yeomans  
Keith A. Yeomans

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1                   **CERTIFICATE OF SERVICE**

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3 using the CM/ECF system which will automatically send email notification of such filing to the  
4 attorneys of record.

5  
6                   Dated: March 27, 2019

/s/ *Keith A. Yeomans*  
Keith A. Yeomans

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